IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 1135 (SS) of 2007

1. Pankaj Kumar, S/o Sri Kishan Singh, R/o village - Kherajat, Tehsil – Roorkee, District – Haridwar.
2. Manoj Kumar, S/o Sri Braj Pal Singh, R/o village - Kherajat, Tehsil – Roorkee, District – Haridwar.
3. Raiveer Singh, S/o Sri Veer Singh, R/o village - Kherajat, Tehsil – Roorkee, District – Haridwar.
4. Manoj Kumar, S/o Sri Rajpal Singh, R/o village - Kherajat, Tehsil – Roorkee, District – Haridwar.
5. Pankaj Kumar, S/o Sri Satya Veer Singh, R/o Nesala Salaru, Manglaur, District – Haridwar.

…….Petitioners.

Versus

1. State of Uttarakhand through its Secreatary, Education, Civil Secretariat, Dehradun.
2. Director, Education, Dehradun, Uttarakhand,.
3. Additional Director, SCERT, Uttarakhand, Narendra Nagar Tehri Garhwal.
4. Principal, District Institute of Education and Training, Roorkee, District – Haridwar.

……Respondents

Hon'ble M.M. Ghildiyal, J

Heard Sri Ajay Veer Pundeer, learned counsel for the petitioners and Sri N.P. Shah, learned standing counsel for State of Uttarakhand on behalf of respondents.

By means of this writ petition, petitioners have prayed for the following relief:

a. *Issue a writ, order or direction in the nature of Certiorari quashing the advertisement no. प्रा0. शि/03एक 1 (18)दिनांक 09 जुलाई 2006 and circular no. 448/XXIV (1)/*

2006 – 45/ 2004 Dated 13.06.2006 contained as Annexure no. 2 to this writ petition.

b. *Issue a writ, order or direction in the nature of Mandamus commanding the respondents to give admission to the petitioners in Special BTC Training Course treating them as Science Graduate.*

c. *Issue any other relief, which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.*

d. *Cost of the petition be awarded in favour of the petitioners.*

The stand of the petitioners is that petitioners have passed B.Sc. (Agriculture) and B.Ed. from Chaudhary Charan Singh University, Meerut as regular student. Petitioners have obtained their B.Ed. degree prior to publication of advertisement dated 09.07.2006 for Special BTC Training Course. However, the candidatures of the petitioners have not been considered by the respondents only on the ground that they are B.Sc. (Agriculture).

Petitioners may raise their grievances before Additional Director, SCERT, Uttarakhand, Narendra Nagar, Tehri Garhwal by way of filing representation.

In case, petitioners comply with the order passed by this court, Additional Director, SCERT, Uttarakhand, Narendra Nagar, Tehri Garhwal is directed to take decision on the representation of the petitioners within a period of ten days from the date of production of certified copy of this order along with representation.

With this direction, writ petition as well as interim relief application is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J)

August 22, 2007
SKS